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March 27, 1997

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Federal Communications Commission Office of Secretary

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VIA HAND DELIVERY

Mr. William F. Caton **Acting Secretary** Federal Communications Commission 1919 M Street, NW **Room 222** Washington, DC 20554

Dear Mr. Caton:

On behalf of MRF Enterprises, there are transmitted herewith an original and four copies of its Reply Comments in connection with the Commission's Notice of Proposed Rule Making in MM Docket No. 96-230 to add a new FM channels at Levan and Oakley, Utah.

If any additional information is desired in connection with this matter, please contact the undersigned counsel.

Brian M. Madden

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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

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In the Matter of)	Federal Communications Commission Office of Secretary
Amendment of Section 73.202(b),)	
Table of Allotments,)	MM Docket No. 96-230
FM Broadcast Stations)	RM-8911
(Levan and Oakley, Utah))	

To: Chief, Allocations Branch Policy and Rules Division Mass Media Bureau

REPLY COMMENTS

MRF Enterprises ("MRF"), by its attorneys and pursuant to Section 1.415 of the Commission's rules, hereby submits these Reply Comments in connection with the abovecaptioned proceeding and the Comments and Counterproposal filed on January 6, 1997 by MRF (the "MRF Counterproposal") herein.\(^1\) In the MRF Counterproposal, MRF proposed that the Commission amend Section 73.202(b), the FM Table of Allotments, to allot FM Channel 268C1 to Oakley, Utah; to allot FM Channel 256A to Levan, Utah, instead of Channel 286A, as requested by Windy Valley Broadcasting; and to substitute FM Channel 221C for vacant Channel 268C at Green River, Wyoming.

The Commission released a Public Notice of the MRF Counterproposal on March 12, 1997 and stated that Reply Comments to the MRF Counterproposal should be submitted no later than 15 days after the date of the Public Notice. Therefore, these Reply Comments are timely filed.

MRF believes that the MRF Counterproposal demonstrates that the public interest will be served by implementation of the proposals set forth therein, and reiterates its commitment not only for MRF, or an entity in which MRF is involved, to apply for, and upon grant, to construct and operate the new station at Oakley, but also to reimburse the prevailing applicant for Channel 221C at Green River, Wyoming, if such reimbursement is required under the Commission's rules and policies and assuming that MRF is a party to the prevailing applicant at Oakley.

To MRF's knowledge, the only other filing made in this proceeding as of the date on which comments were due was the Comments of Windy Valley Broadcasting, the proponent of the request for allotment of the new channel at Levan, Utah. As MRF has previously shown, substitution of Channel 256A to Levan instead of Channel 286A, fully satisfies all pertinent Commission requirements and will allow the provision of new service to Levan, as proposed, while also permitting the institution of the first local transmission service to Oakley.

For the foregoing reasons, MRF renews its request that the Commission adopt expeditiously a *Report and Order* amending Section 73.202(b) of its rules to allot FM Channel 268C1 to Oakley, Utah; to allot Channel 256A to Levan, Utah; and to substitute Channel 221C for vacant Channel 268C at Green River, Wyoming.

Respectfully submitted,

MRF ENTERPRISES

Brian M. Madden Nancy A. Ory

Its Attorneys

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March 27, 1997

CERTIFICATE OF SERVICE

I, Tamara L. Mariner, hereby certify that a true and correct copy of the foregoing Comments and Counterproposal of MRF Enterprises, was sent by first-class postage prepaid mail this 27th day of March 1997 to the following:

> Victor A. Michael, Jr. President Windy Valley Broadcasting c/o Magic City Media 1912 Capitol Avenue, Suite 300 Cheyenne, Wyoming 82001

Wagonwheel Communications Corp. P.O. Box 970 Green River, Wyoming 82935

Erwin G. Krasnow, Esq. as counsel to Wagonwheel Communications Corp. Verner Liipfert Bernhard McPherson & Hand, Chartered 901 15th Street, NW, Suite 700 Washington, DC 20005-2301

Mr. Scott Anderson Chapparal Broadcasting, Inc. 645 South Cache Jackson, Wyoming 83001

Big Thicket Broadcasting of Wyoming, Inc. P.O. Box 2128 Rock Springs, Wyoming 82901

Jamaia & Mariner